

(3) The membership of ASEAN has expanded to 10 countries since its establishment in 1967.

(4) The United States seeks to maintain and further develop a constructive and cordial relationship with ASEAN.

(5) The countries comprising ASEAN—

(A) constitute the 3rd largest export market for United States products;

(B) have received nearly \$90,000,000,000 in direct investment from United States sources; and

(C) are developing an integrated free trade area.

(6) Trade between the United States and the countries comprising ASEAN totals approximately \$130,000,000,000.

(7) ASEAN continues to contribute to regional stability in East Asia and has partnered with the United States to combat global terror.

(8) In 2006, approximately 38,000 students from the countries comprising ASEAN were studying in the United States.

(9) The countries comprising ASEAN share a common concern with the United States regarding—

(A) the spread of avian influenza and other diseases; and

(B) environmental issues, such as the preservation of biodiversity and the prevention of illegal logging.

(10) It is in the long-term interest of the United States to maintain and expand a relationship with ASEAN.

(11) The United States does not have an Ambassador to ASEAN, which limits the ability of the United States and ASEAN to respond quickly and appropriately to events of mutual interest.

SEC. 3. UNITED STATES AMBASSADOR FOR ASEAN.

(a) **APPOINTMENT.**—There is established in the Department of State the position of United States Ambassador for ASEAN Affairs, who shall be appointed by the President, subject to the advice and consent of the Senate.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that a Deputy Assistant Secretary of State for East Asia and the Pacific should be designated as the Ambassador for ASEAN Affairs.

NAVAL VESSELS TRANSFER ACT OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 564, S. 3722.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (S. 3722) to authorize the transfer of naval vessels to certain foreign recipients.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3722) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Naval Vessels Transfer Act of 2006”.

SEC. 2. TRANSFERS BY GRANT.

The President is authorized to transfer vessels to foreign recipients on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) **LITHUANIA.**—To the Government of Lithuania, the OSPREY class minehunter coastal ships KINGFISHER (MHC-56) and CORMORANT (MHC-57).

(2) **PORTUGAL.**—To the Government of Portugal, the OLIVER HAZARD PERRY class guided missile frigates GEORGE PHILIP (FFG-12) and SIDES (FFG-14).

(3) **TURKEY.**—To the Government of Turkey, the OSPREY class minehunter coastal ship BLACK HAWK (MHC-58).

SEC. 3. TRANSFERS BY SALE.

The President is authorized to transfer vessels to foreign recipients on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) **TAIWAN.**—To the authorities in Taiwan, the OSPREY class minehunter coastal ships ORIOLE (MHC-55) and FALCON (MHC-59).

(2) **TURKEY.**—To the Government of Turkey, the OSPREY class minehunter coastal ship SHRIKE (MHC-62).

(3) **MEXICO.**—To the Government of Mexico, the AUSTIN class amphibious transport dock ships OGDEN (LPD-5) and CLEVELAND (LPD-7).

SEC. 4. GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.

The value of a vessel transferred to another country on a grant basis pursuant to authority provided by section 2 shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516 of the Foreign Assistance Act of 1961.

SEC. 5. COSTS OF CERTAIN TRANSFERS.

Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized under section 2 shall be charged to the recipient.

SEC. 6. REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.

To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed before the vessel joins the naval forces of that country performed at a shipyard located in the United States, including a United States Navy shipyard.

SEC. 7. APPROVAL OF TRANSFER OF NAVAL VESSELS TO FOREIGN NATIONS BY VESSEL CLASS.

Section 7307(a) of title 10, United States Code, is amended by inserting “or vessels of that class” after “that vessel”.

SEC. 8. EXPIRATION OF AUTHORITY.

The authority to transfer a vessel under this Act shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

STOLEN VALOR ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1998 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will please report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1998) to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1998) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stolen Valor Act of 2005”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Fraudulent claims surrounding the receipt of the Medal of Honor, the distinguished-service cross, the Navy cross, the Air Force cross, the Purple Heart, and other decorations and medals awarded by the President or the Armed Forces of the United States damage the reputation and meaning of such decorations and medals.

(2) Federal law enforcement officers have limited ability to prosecute fraudulent claims of receipt of military decorations and medals.

(3) Legislative action is necessary to permit law enforcement officers to protect the reputation and meaning of military decorations and medals.

SEC. 3. ENHANCED PROTECTION OF MEANING OF MILITARY DECORATIONS AND MEDALS.

(a) **EXPANSION OF GENERAL CRIMINAL OFFENSE.**—Subsection (a) of section 704 of title 18, United States Code, is amended by striking “manufactures, or sells” and inserting “purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barter, or exchanges for anything of value”.

(b) **ESTABLISHMENT OF CRIMINAL OFFENSE RELATING TO FALSE CLAIMS ABOUT RECEIPT OF DECORATIONS AND MEDALS.**—Such section 704 is further amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following:

“(b) **FALSE CLAIMS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.**—Whoever falsely represents himself or herself, verbally or in writing, to have been awarded any decoration or medal authorized by Congress for the Armed Forces of the United States, any of the service medals or badges awarded to the members of such forces, the ribbon, button, or rosette of any such badge, decoration, or medal, or any colorable imitation of such item shall be fined under this title, imprisoned not more than six months, or both.”; and

(3) in paragraph (1) of subsection (c), as redesignated by paragraph (1) of this subsection, by inserting “or (b)” after “subsection (a)”.

(c) ENHANCED PENALTY FOR OFFENSES INVOLVING CERTAIN OTHER MEDALS.—Such section 704 is further amended by adding at the end the following:

“(d) ENHANCED PENALTY FOR OFFENSES INVOLVING CERTAIN OTHER MEDALS.—If a decoration or medal involved in an offense described in subsection (a) or (b) is a distinguished-service cross awarded under section 3742 of title 10, a Navy cross awarded under section 6242 of title 10, an Air Force cross awarded under section 8742 of section 10, a silver star awarded under section 3746, 6244, or 8746 of title 10, a Purple Heart awarded under section 1129 of title 10, or any replacement or duplicate medal for such medal as authorized by law, in lieu of the punishment provided in the applicable subsection, the offender shall be fined under this title, imprisoned not more than 1 year, or both.”.

(d) CONFORMING AMENDMENTS.—Subsection (c) of such section 704, as so redesignated, is further amended—

(1) by inserting “ENHANCED PENALTY FOR OFFENSES INVOLVING” before “CONGRESSIONAL MEDAL OF HONOR”; and

(2) by striking paragraph (2) and inserting the following:

“(2) CONGRESSIONAL MEDAL OF HONOR DEFINED.—In this subsection, the term ‘Congressional Medal of Honor’ means—

“(A) a medal of honor awarded under section 3741, 6241, or 8741 of title 10 or section 491 of title 14;

“(B) a duplicate medal of honor issued under section 3754, 6256, or 8754 of title 10 or section 504 of title 14; or

“(C) a replacement of a medal of honor provided under section 3747, 6253, or 8747 of title 10 or section 501 of title 14.”.

MEASURES READ THE FIRST TIME—S. 3873, S. 3874, S. 3875, S. 3876, S. 3877

Mr. FRIST. Mr. President, I understand there are five bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will please report the titles of the bills en bloc.

The legislative clerk read as follows:
A bill (S. 3873) to protect private property rights.

A bill (S. 3874) to provide in statute for the conduct of electronic surveillance of suspected terrorists for the purposes of protecting the American people, the Nation, and its interests from terrorist attack while ensuring that the civil liberties of United States citizens are safeguarded, and for other purposes.

A bill (S. 3875) to provide real national security, restore United States leadership, and implement tough and smart policies to win the war on terror, and for other purposes.

A bill (S. 3876) entitled the “National Security Surveillance Act.”

A bill (S. 3877) entitled the “Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006.”

Mr. FRIST. Mr. President, I now ask for a second reading, and in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR FRIDAY, SEPTEMBER 8, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 9:30 a.m. on Friday, September 8. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of H.R. 4954, the port security bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow we will continue to work on the port security bill, which we began tonight. As I announced earlier in the evening, there will not be any rollcall votes tomorrow or on Monday. That being said, the managers will be here and we do hope to move forward with this bill and have amendments offered. Opening statements on the port security bill have begun tonight and will continue in the morning and over the course of the morning and maybe afternoon. I do encourage Senators with amendments to this bill to begin working with the managers in order to get these amendments in the queue.

Today, a very important bill was passed 98 to 0, the Department of Defense appropriations bill. As we have done on the floor previously, I thank the chairman and ranking member, Senator STEVENS and Senator INOUE, for their perseverance in passing this critical spending bill, a bill we completed today but we began prior to the August recess.

We, earlier today, recognized Senator DOMENICI for passing a very significant milestone with 13,000 votes. As we reviewed the records, there have been only seven other Senators who have met that milestone. He is No. 8. As we said, there are four other Senators currently serving who have met that milestone, so we have a lot of competition here in the U.S. Senate.

As I said earlier, and as was spoken in the tributes to him, he has been a steadfast leader, a bold leader here in the U.S. Senate, somebody who—I did not say earlier today—has offered me counsel from day one over the last 12 years since I have been in the U.S. Senate, counsel that I respect. And I have tremendous admiration for him.

Several of my colleagues did mention Nancy, his wife. She has been right at his side throughout each of his endeavors and, as he has told me so many times, does provide the anchor for everything he accomplishes. They are a great couple, a great pair, and are great friends to Karyn and myself.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:59 p.m., adjourned until Friday, September 8, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate, September 7, 2006:

DEPARTMENT OF TRANSPORTATION

MARY E. PETERS, OF ARIZONA, TO BE SECRETARY OF TRANSPORTATION, VICE NORMAN Y. MINETA, RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

DEAN A. PINKERT, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING DECEMBER 16, 2015, VICE JENNIFER ANNE HILLMAN, TERM EXPIRING.

IRVING A. WILLIAMSON, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING JUNE 16, 2014, VICE STEPHEN KOPLAN, TERM EXPIRED.

DEPARTMENT OF STATE

DONALD Y. YAMAMOTO, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MICHAEL F. DUFFY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2012 (REAPPOINTMENT), TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF EDUCATION

LAUREN M. MADDOX, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION, VICE KEVIN F. SULLIVAN, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DANIEL MERON, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE ALEX AZAR, II, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF LABOR

PAUL DECAMP, OF VIRGINIA, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE TAMMY DEE MCCUTCHEN, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

SMALL BUSINESS ADMINISTRATION

JOVITA CARRANZA, OF ILLINOIS, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE MELANIE SABELHAUS, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

CAPT. THOMAS F. ATKIN, 0000
CAPT. CHRISTOPHER C. COLVIN, 0000
CAPT. CYNTHIA A. COOGAN, 0000
CAPT. DAVID T. GLENN, 0000
CAPT. MARY E. LANDRY, 0000
CAPT. RONALD J. RABAGO, 0000
CAPT. PAUL F. ZUKUNFT, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

TINA J. URBAN, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LOYD S. UTTERBACK, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT WILSON, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203: